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H – 1057

International Court of Justice

Com. B.
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Meehan
27 July, 1946.
Heusinger.

H1057 - 0002

OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO PARAGRAPH 4 OF THE ORDER OF THE TRIBUNAL DATED 13 MARCH 1946.

27 July 1946.

(THE COMMISSION CONVENED AT 1000 HOURS.)

COMMISSIONER:

M. Rasanov.

THE O.K.W.

MAJOR GENERAL ADOLF HEUSINGER, a witness, stook the stand and testified as follows:

COMMISSIONER ~~RASANOV~~ Rasanov: Raise your right hand and repeat this oath after me:

I Swear by God, the Almighty and Omniscient, that I will speak the pure truth and will withhold and add nothing.

(The witness repeated the oath.)

COMMISSIONER ~~RASANOV~~ Rasanov: You may be seated.

Dr. Laternser, will you bring in your affidavit and give us a brief statement of what you want the witness to bring out?

DR. LATERNSER: I want to question the witness concerning Affidavit No. 20, USA 564. I want to ask him some questions which will clear up some misunderstandings by the defense.

COMMISSIONER ~~RASANOV~~ Rasanov: You may begin the examination.

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DIRECT EXAMINATION.

DR. LATERNSER: Witness, you wrote affidavit 20, USA Exhibit 564.

THE WITNESS: Yes.

COMMISSIONER RASANOV: What is your rank?

THE WITNESS: I was a major general.

BY DR. LATERNSER:

Q You were, according to your statement, in the operations section of the OKH - the high command of the army - at the beginning of the war and from 1940 to 1944 you were its chief?

A I was chief until July 20, 1944.

Q You have received special, good, inside information on military matters?

A I believe that I can state that.

Q In paragraph 3 of your affidavit, you state, and I quote: "Therefore in all questions in the operations section in the east, the chief of the general staff was responsible and for all questions outside of the operations area, the OKW - the high command of the armed forces, for instance, for all troops which were in the Reichs Commissar area?"

A At that time I was asked concerning the dividing line between the authority of the OKH and the OKW in the east. With this statement, I wanted to show where the border line of authority of the OKW and OKH was in the east. I did not have to concern myself by giving this answer concerning the authority of the SS units, but it was rather just to clear the division that I wanted to show between the OKH on one hand and the OKW on the other.

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DR. LATERNSER: For instance, you state in your affidavit that the chief of the general staff of the army was responsible for all the operations in this area. Is it not correct that for the economic distribution, the Economic staff east and Goering were they not responsible?

THE WITNESS: That is certain. I want to state that I, as chief of the operations section, had to do with the actual operational leadership.

BY DR. LATERNSER:

Q In other words, you do not mean all questions, but all military questions?

A Yes, I meant military questions. There you had the question of how far is the OKH responsible, the chief of the general staff of the army and how far is the OKW responsible.

Q I wanted to clear that one point, since your statement that the chief of the general staff of the army was responsible for the entire area could be given a much more general meaning.

Now, I have the following questions: You said that the chief of the general staff of the army was responsible, but he had no authority to give orders.

A He was the first adviser to the Commander in Chief of the army and after General Brauchitsch left he was the first adviser to Hitler.

Q In other words, if I understand you correctly, you want to say by the word responsible the commander in chief of the general staff was

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responsible for the working out of the plan. Who was the man who would give the orders on this plan?

A Of course only the commander in chief of the army. First, Von Brauchitsch and then Hitler. Of course, Von Brauchitsch was bound to the orders he received from Hitler.

Q In the fourth paragraph you state and I quote: "All police and SS units in the Reichs Commissar east were also subordinate to the Reichsfuehrer SS." To what extend did these units, for example the higher SS and police leaders in the Reichs Commissar west, did they not stand under the directions of the Reichs Fuehrer, but rather the OKW?

A For instance, in the territorial placements there was the question of subordination and I want to state quite expressedly here it was a very difficult one, but after this long period it is very hard for me to remember all phases and points of this matter of subordinate. I want to state now in a broad sense for example the named officers or offices as part of their duty were responsible to the Reichs Fuehrer SS, however, for the territorial questions, such as questions of lodging and other questions connected with that, they were responsible to any orders of the OKW.

Q To what extend did these units - now we are speaking of security units, SS units and police units, come under the authority of the Reichs Commissar?

A In territorial questions.

Q In other words, as you state here, "All police and SS units in the Reichs Commissar were also subordinate to the Reichs Fuehrer SS," and that is now quite complete because you also state that these units

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were, insofar as territorial matters were concerned, under the jurisdiction of the Reichs Commissar?

A I wanted to bring out the point that the subordination was not just a single subordination, but double and more than that depending on the areas. If I remember correct, after the office of the chief of anti-partisan war-fare had been created, the technical direction staff units were handed over to the chief of the anti-partisan war-fare.

Q When you state that the technical direction went over to the chief of anti-partisan war-fare, do you mean that General von dem Bach was just more or less an information center, or was he the actual chief of these anti-partisan actions?

A In my opinion, he was much more than just an information connection point. He had the duty to issue unified directives for the anti-partisan war-fare. During large scale anti-partisan operations, he was in charge personally of these operations. I am now thinking for instance of the operation southwest of Welliki Luki where I know positively that von dem Bach personally was in command.

Q You stated also that the directives as to the manner and methods of carrying out partisan operations were issued by the OKW and that the OKH merely was responsible for the transmission of these orders. Do you remember a directive, which was given out in 1942 which regulated the authority concerning the anti-partisan operations?

A I do know of a draft of an anti-partisan directive, that was in 1943 or 1944 which was supposed to have been issued and if I remember

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correctly, it was worked out at the OKW by a general staff officer, but it was supposed to be issued by the chief of the anti-partisan operations. I cannot remember any previous anti-partisan directives. The reason for that was that I, as chief of operations section of the OKH, did not have anything to do with the anti-partisan operations which were in the hands of the quarter-master general of the army.

Q Therefore, you do not know if any such anti-partisan directives were issued?

A I cannot answer this question.

Q Yesterday, the witness, Rode of the command staff of the RSHA, stated that he had discussions with officers of the OKW and OKH concerning the anti-partisan actions and the destruction through these actions of Jews and other elements. Did the OKH give any directives for the extermination of Jews?

DR. KEMPNER: We object against this type of questioning. There is no reference to Rode in this affidavit. We don't know what this witness has already stated and General Heusinger does not know it either, so General Heusinger can only be asked about the things he knows and not about what some other witness stated he thought about it.

DR. LATERNSER: I don't think that there could be any doubt that the question I put is admissable. The point of the question is whether or not the OKH ever gave out any directives for the extermination of Jews and in order to prove that, the prosecution has referred to the affidavit of Rode. I don't believe there could be any question concerning the right of this question.

MR. RAPP: We are not objecting to the admissability of the

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question itself, we are merely objecting that the name is introduced in this question and it is entirely irrelevant. We respectfully request that the name of Rode be restricted from the record..

DR. LATERNSER: I need this point in orderthat I can ask the witness a further question after this question.

CAPTAIN RAPP: I would like to call the attention of counsel to the fact that I assume that the witness does not know who Rode is or that Rode has given a previous affidavit.

DR. LATERNSER: That I want to find out with the next question and it is inseperable from this question.

DR. KEMPNER: For reasons I do not understand, for many days the defense counsel has introduced things which have nothing to do with the very restricted topics the court ordered in the cross examination. They are trying to slip something over our heads, what we do not know and other people do not know either. This witness is here in order to be questioned as to whether his affidavit is correct or not and not whether Rode's affidavit is correct or not.

COMMISSIONER RASANOV: Dr. Laternser, do you have something to say?

DR. LATERNSER: No.

COMMISSIONER RASANOV: I quite agree with the prosecution because the testimony of this witness should be of a restricted nature and your question has absolutely nothing to do with the witness we are examining

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now. Your question refers to some other witness and the questions, which you are allowed to put to the witness, should be absolutely restricted to the affidavit concerning this witness. Will you please go to the next question, Dr. Laternser?

BY DR. LATERNSER:

Q I will now ask the same question without the previous remarks. Did the OKH give any orders for the destruction of Jews?

A In my opinion there were no orders given by the OKH for the destruction of Jews.

Q During the discussion of the anti-partisan actions, was this question discussed?

A I pointed out already that I was concerned with anti-partisan actions only from the summer or fall of 1943. I personally did not participate in discussions where this plan was discussed.

Q Did the OKH give out an order stating that no prisoners were to be taken in these anti-partisan operations?

DR. KEMPNER: I don't see anything in this affidavit which says the witness said so before.

DR. LATERNSER: Commissioner, would you please look at paragraph four of the affidavit? It states that it was the witnesses' personal opinion that the treatment of the civilian population and the fighting of partisans in operation zones gave a welcome opportunity for the political and military leadership to accomplish their aim of systematically reducing Slavs and Jews. In this connection, the question is absolutely important. I repeat the question, which I gave before. Did the OKH

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issue any directives, according to which no prisoners were to be taken during anti-partisan operations?

CAPTAIN RAPP: The defense has asked the witness a question whether or not the OKH has given orders (a) for the destruction of Jews and (b) whether or not partisan prisoners should be taken. There is no statement in the affidavit stating that the OKH gave orders to that effect.

DR. LATERNSER: If these goals were present, then they only could have been carried out by giving these orders.

MR. RASENOV: It is alright, you may continue, Dr. Laternser.

BY DR. LATERNSER:

Q Witness, I ask you to answer the question.

A I do not know of any orders, which stated that no prisoners were to be taken.

Q You stated in paragraph 3 of your affidavit that all questions involving the treatment of all matters pertaining to the population and the fighting of partisans, in accordance with orders from the OKW, was the responsibility of the Quartermaster General of the OKH. I ask you, do you have any knowledge of any orders, which were supposed to be given by the Quartermaster general, which were against international law?

A I do not believe he gave such orders.

Q In paragraph 4 of the affidavit, you make the following statement and I quote:

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"It has always been my personal opinion that the treatment of the civilian population and the methods used in anti-partisan warfare in the operational areas, presented the highest military and political leaders with a welcome opportunity for accomplishing their aim of systematically reducing Slvas and Jews." Whom do you mean by the highest political leaders.

A Hitler personally. May I explain that in more detail?

Q Witness, later I want to ask you a few questions in this connection. Did you ever hear or was it your impression of the purpose of anti-partisan warfare of the commander in chief of the army or an army group state the same convictions or the same opinions, or that they had this knowledge?

A No.

Q Was the chief of the general staff of this opinion?

A No, but I suppose he knew the impressions or the ideas of Hitler.

Q What do you understand by the term when you state in your affidavit "Always already?"

A After the end of December, 1941 I attended every day the daily situation conferences with Hitler in the afternoons. I did not attend those meetings before the end ofDecember, 1941 and the anti-partisan operations developed in the east in 1942. Hitler, during the various situation discussions, made several statements concerning the people's fight, as he called it himself.

Q I ask you, witness, to make your answers short. I asked you what you mean by "already always". I would like to ask you did you have this personal opinion always already or did you receive it after you saw a number

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of signs and ~~xxxx~~ acts here?

A It was formed in the course of the years.

Q If you state it had always been my personal opinion that the treatment of the civilian population and the methods of anti-partisan warfare presented the highest military and political leaders ~~xxxx~~ with the welcome opportunity to carry out their plans, namely the systematic extermination of Slavs and Jews, then there had to be a specific time when you formed this personal opinion of yours.

A It was formed by me from this time on, that is the summer and fall of 1942.

Q You state, if I understand your answer correct, that you started forming this opinion at that time. When did you get this personal opinion that you put in paragraph 4?

A I actually cannot give a specific date.

Q Witness, as you stated here "always been my personal opinion" that there had been such a goal, then you must give a specific time. Is it possible that you have had this final personal opinion only after you saw the entire connections, after the breakdown of Germany?

DR. KEMPNER: I object to this question. The witness has answered the question, he said since 1942 and not that he formed his opinion after the entire connection and the breakdown of Germany.

DR. LATERNSER: That is not correct. The witness stated that he started forming his opinion in the summer and fall of 1942, but that he did not have it at that time. I want to ask the witness to find out from what

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time on he was of this opinion. This point is important.

COMMISSIONER RASAMOV: The witness has answered your question. He said he does not remember the exact date when his opinion was formulated.

DR. LATERNSER: If you don't know this date exactly, would you give me the approximate period when you got this opinion, that is the period from which you had this personal opinion, that is when you realized that this anti-partisan warfare presented the highest military and political leaders with the welcome opportunity of carrying on their aim of systematically reducing ~~Slavs~~ Slavs and Jews?

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COMMISSIONER RASUMOV: Can you answer this question, witness?

A. Yes, I will attempt to. About the Spring of 1944.

COMMISSIONER RASUMOV: Go on with your examination Dr. Laternser, please.

BY DR. LATERNSER:

Q But now you state in this affidavit that it had already been your personal

COMMISSIONER RASUMOV: Dr. Laternser, you must go to another question. The witness has already answered this question. Please proceed. We are very limited in time and we cannot spend any more on this question.

Q What did you do when you arrived at this opinion? Did you discuss it with your comrades and state "here is the opportunity or here is the goal to exterminate Jewism and Slavism?

DR. KEMPNER: We object because Mr. Heusinger is a witness and not a defendant and there is nothing said in the affidavit as to what he did, whether he did and why he should do.

DR. LATERNSER: I asked the witness whether, after he had arrived at this opinion, he discussed this opinion with comrades and if he had done anything after he had arrived at this opinion.

COMMISSIONER RASUMOV: Well I don't see that this question is relevant to the affidavit of the witness. We have already asked the witness about these personal opinions but it is not so important to know whether he discussed his personal opinion with comrades or not.

DR. LATERNSER: I want to find out whether he is not mistaken about the time because if he had this personal opinion at that time already it is most probable that we would have discussed it with comrades.

COMMISSIONER RASUMOV: Witness, did you make a mistake in the time?

WITNESS: I answered to the best of my knowledge and I states that ie was very hard to give an exact time.

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DR. LATERNSER: I request that the question I asked be permitted.

COMMISSIONER RASUMOV: Will you repeat the question?

DR. LATERNSER: The question was: At the time you formed this opinion in the Spring of 1944, did you discuss your personal opinion of the purposes of the Anti-Partisan warfare with any of your comrades.

COMMISSIONER RASUMOV: You may answer this question, witness, but very shortly.

WITNESS: In the Spring of 1944 the situation on the Eastern Front was so tense that it was necessary for me to give my entire time to the military operations and military duties and we did not have much time or chance to discuss the occurrences behind the front lines at that time.

DR. LATERNSER: That is not the question. I asked whether you talked to comrades about this personal opinion of yours.

COMMISSIONER RASUMOV: Witness, answer Yes or No to the question.

WITNESS: Under oath I can only say possibly.

BY DR. LATERNSER:

Q With whom could you "possibly" have talked?

A With the Quartermaster General.

Q Also with General von Botlar whom you knew quite well?

A With him without a doubt surely not.

Q If you had this opinion how could you remain in an important position in the OKH?

DR. KEMPNER: We object for the same reason. This man is a witness here and not a defendant. I do not think he has to answer such a question. Why he remained or why he did not remain has nothing to do with the affidavit.

DR. LATERNSER: But it has to do with the credibility.

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A I handed in my resignation three times and it was turned down every time.

Q Is that why you turned in your resignation?

A I handed in my resignation because the entire military leadership in the East and everything that was connected with it led towards destruction - leadership through Hitler, remember.

COMMISSIONER RASUMOV: Have you any further questions, Dr. Laternser?

DR. LATERNSER: No further questions.

COMMISSIONER RASUMOV: Have the prosecution any questions?

DR. KEMPNER: I have a few.

RE-EXAMINATION

BY DR. KEMPNER:

Q You made this affidavit which was placed before you here?

A Yes.

Q That was in December 1945?

A Yes.

Q Do you consider what you stated at that time, under oath, to be 100% correct?

A I made supplemental explanations to this affidavit today upon the questions of the defense lawyer.

Q And as far as you did not give any explanation it is 100 percent correct?

A I did not see the affidavit any more since December of 1945. It is very hard to answer this question.

Q Do you want to read it through once more, quickly?

A Yes, if I may.

(Witness is handed a copy of the Affidavit)

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A Concerning the third paragraph, I have already explained to the defense what I meant by that. The same is true of the fourth paragraph. Where I speak in paragraph 1 of SS units, I was speaking of the SS units that I knew, that is the Waffen-SS. After the breakdown, during the ~~interrogation~~ interrogation, I was asked repeatedly what I knew about the SD and I answered that question negatively because I did not have any information about it. As far as I state in paragraph 2 that methods of carrying out counter-partisan operations were carried out on orders from Hitler after consultation with Himmler, I do not know, after the office of the Chief of the Counter Partisan Operations was created, to what extent Himmler gave directives to von dem Bach.

Q There is no necessity to repeat what you have already stated.

A Under paragraph 4 I want to say again that under highest political and military leadership I meant Hitler personally.

Q And his military advisers?

A I only meant Hitler because I only heard these things from him.

Q Would you include today his direct military advisers or his close military advisers?

A From what I have heard since the breakdown here in Nurnberg during the trial I would say that whether I wanted to or not I would have to include Keitel in this group.

Q From when to when were you present during these "situation discussions?"

A Usually only about the first half or three-quarters of an hour of the discussion, during which we discussed the front line business.

Q What period was that?

A From the end of December 1941 to the 20th of July 1944, with short breaks in between.

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Q And who was present with you at these meetings?

A There was from OKW, ~~Kick~~ Field Marshal Keitel, Colonel General Jodl, not always General Warlimont and then a number of young officers and adjutants that changed continually.

Q And who else?

A From the OKH, Chief of the General Staff of the Army, I, and during the first year, that is 1941, the Quartermaster General of the Army and other officers if needed.

Q And during those conferences the Fuehrer spoke several times concerning the severe warfare against other people (Volkstumskampf?)

A He stated that the battle in the East was a battle between two races, two people, and that the result could only be the victory of one side or the other, the complete victory and he, Hitler stated, would see to it that the loser would not be Germany.

Q And the destruction of the other race, the other people, meant the complete victory, is that right?

A I don't want to use the term disappearance of the people because it is hardly possible to let a people disappear.

Q How about the Jews?

A I cannot state under oath here that Hitler used the word "Jewry" in this connection at that time.

Q Who was meant under the term "people" or "race?" The Slavs, the Russians and not the Jews, or the whole group?

A Anything was meant which resisted subordination under ~~Ger~~ Germany.

Q How often did he say that during these situation discussions - five times, ten times,-twenty times, - approximately?

A I would say about five times.

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DR. KEMPNER: Thank you, that is all.

COMMISSIONER RASUMOV: Witness, in your affidavit, in paragraph 4, where you saud "systematische reduzierung", does that mean systematic extermination?

WITNESS: I meant by that removal of those that attempted to resist subordination under Germany.

COMMISSIONER RASUMOV: Have you any further questions, Dr. Laternser?

DR. LATERNSER: No further questions.

COMMISSIONER RASUMOV: The witness may be excused.

(The Commission adjourned at 1130 hours.)

* * * * * * * * * * * * * * * * * *

The foregoing is a true and correct transcript of the testimony of GENERAL ADOLF HEUSINGER, taken on 27 July 1946.

Alice Mahan
Reporter (pp. 1-12)

Mabel A. Lesser
Reporter (pp. 13-18)

CERTIFIED TO:

I Rasumov
Commissioner

Com B
Take 1-Pg 1.
Meehan
27 July, 1946
Heusinger

Mr Denney

H1057 - 0020

OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO PARAGRAPH 4 OF THE ORDER OF THE TRIBUNAL DATED 13 MARCH 1946.

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COMMISSIONER RASANOV: Raise your right hand and repeat this oath after me:

I swear by God, the Almighty and Omniscient, that I will speak the pure truth and will withhold and add nothing.

(The witness repeated the oath.)

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COMMISSIONER RASANOV: You may begin the examination.

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DIRECT EXAMINATION

DR. LATERNSER: Witness, you wrote affidavit 20, USA Exhibit 564.

The WITNESS: Yes.

COMMISSIONER RASANOV: What is your rank?

THE WITNESS: I was a major general.

BY DR. LATERNSER:

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A At that time I was asked concerning the dividing line between the authority of the OKH and the OKW in the east. With this statement I wanted to show where the border line of authority of the OKW and OKH was in the east. I did not have to concern myself by giving this answer concerning the authority of the SS units, but it was rather just to clear the division that I wanted to show between the OKH on one hand and the OKW on the other.

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DR. LATERNSER: For instance, you state in your affidavit that the chief of the general staff of the army was responsible for all the operations in this area. Is it not correct that for the economic distribution, the Economic staff east and Goering were they not responsible?

THE WITNESS: That is certain. I want to state that I, as chief of the operations section, had to do with the actual operational leadership.

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Q In other words, you do not mean all questions, but all military questions?

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Q In other words, if I understand you correctly, you want to say by the word responsible the commander in chief of the general staff was

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responsible for the working out of the plan. Who was the man who would give the orders on this plan?

A Of course only the commander in chief of the army. First, Von Brauchitsch and then Hitler. Of course, Von Brauchitsch was bound to the orders he received from Hitler.

Q In the fourth paragraph you state and I quote: "All police and SS units in the Reichs Commissar east were also subordinate to the Reichsfuehrer SS." To what extent did these units, for example the higher SS and police leaders in the Reichs Commissar west, did they not stand under the directions of the Reichs Fuehrer, but rather the OKW?

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A In territorial questions.

Q In other words, as you state here, "All police and SS units in the Reichs Commissar were also subordinate to the Reichs Fuehrer SS," and that is now quite complete because you also state that these units

H1057-0024

were, insofar as territorial matters were concerned, under the jurisdiction of the Reichs Commissar?

A I wanted to bring out the point that the subordination was not just a single subordination, but double and more than that depending on the areas. If I remember correct, after the office of the chief of anti-partisan warfare had been created, the technical direction staff units were handed over to the chief of the anti-partisan warfare.

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A In my opinion, he was much more than just an information connection point. He had the duty to issue unified directives for the anti-partisan warfare. During large scale anti-partisan operations, he was in charge personally of these operations. I am now thinking ~~of~~ for instance of the operation southwest of Welliki Luki where I know positively that von dem Bach personally was in command.

Q You stated also that the directives as to the manner and methods of carrying out partisan operations were issued by the OKW and that the OKH merely was responsible for the transmission of these orders. Do you remember a directive, which was given out in 1942 which regulated the authority concerning the anti-partisan operations?

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correctly, it was worked out at the OKW by a general staff officer, but it was supposed to be issued by the chief of the anti-partisan operations. I cannot remember any previous anti-partisan directives. The reason for that was that I, as chief of operations section of the OKH, did not have anything to do with the anti-partisan operations which were in the hands of the quarter-master general of the army.

Q Therefore, you do not know if any such anti-partisan directives were issued?

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H1057 - 0026

question itself, we are merely objecting that the name is introduced in this question and it is entirely irrelevant. We respectfully request that the name of Rode be restricted from the record.

DR. LATERNSER: I need this point in order that I can ask the witness a further question after this question.

CAPTAIN RAPP: I would like to call the attention of counsel to the fact that I assume that the witness does not know who Rode is or that Rode has given a previous affidavit.

DR. LATERNSER: That I want to find out with the next question and it is inseparable from this question.

DR. KEMPNER: For reasons I do not understand, for many days the defense counsel has introduced things which have nothing to do with the very restricted topics the court ordered in the cross examination. They are trying to slip something over our heads, what we do not know and other people do not know either. This witness is here in order to be questioned as to whether his affidavit is correct or not and not whether Rode's affidavit is correct or not.

COMMISSIONER RASANOV: Dr. Laternser, do you have something to say?

DR. LATERNSER: No.

COMMISSIONER RASANOV: I quite agree with the prosecution because the testimony of this witness should be of a restricted nature and your question has absolutely nothing to do with the witness we are examining

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now. Your question refers to some other witness and the questions, which you are allowed to put to the witness, should be absolutely restricted to the affidavit concerning this witness. Will you please go to the next question, Dr. Laternser?

BY DR. LATERNSER:

Q I will now ask the same question without the previous remarks. Did the OKH give any orders for the destruction of Jews?

A In my opinion there were no orders given by the OKH for the destruction of Jews.

Q During the discussion of the anti-partisan actions, was this question discussed?

A I pointed out already that I was concerned with anti-partisan actions only from the summer or fall of 1943. I personally did not participate in discussions where this plan was discussed.

Q Did the OKH give out an order stating that no prisoners were to be taken in these anti-partisan operations?

DR. KEMPNER: I don't see anything in this affidavit which says the witness said so before.

DR. LATERNSER: Commissioner, would you please look at paragraph four of the affidavit? It states that it was the witnesses' personal opinion that the treatment of the civilian population and the fighting of partisans in operation zones gave a welcome opportunity for the political and military leadership to accomplish their aim of systematically reducing Slavs and Jews. In this connection, the question is absolutely important. I repeat the question, which I gave before. Did the OKH

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issue any directives, according to which no prisoners were to be taken during anti-partisan operations?

CAPTAIN RAPP: The defense has asked the witness a question whether or not the OKH has given orders (a) for the destruction of Jews and (b) whether or not partisan prisoners should be taken. There is no statement in the affidavit stating that the OKH gave orders to that effect.

DR. LATERNSER: If these goals were present, then they only could have been carried out by giving these orders.

MR. RASENOV: It is all right, you may continue, Dr. Laternser.

BY DR. LATERNSER:

Q Witness, I ask you to answer the question.

A I do not know of any orders, which stated that no prisoners were to be taken.

Q You stated in paragraph 3 of your affidavit that all questions involving the treatment of all matters pertaining to the population and the responsibility of the Quartermaster General of the OKH. I ask you, do you have any knowledge of any orders, which were supposed to be given by the Quartermaster general, which were against international law?

A I do not believe he gave such orders.

Q In paragraph 4 of the affidavit, you make the following statement and I quote:

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"It has always been my personal opinion that the treatment of the civilian population and the methods used in anti-partisan warfare in the operational areas, presented the highest military and political leaders with a welcome opportunity for accomplishing their aim of systematically reducing Slavs and Jews." Whom do you mean by the highest political leaders.

A Hitler personally. May I explain that in more detail?

Q Witness, later I want to ask you a few questions in this connection. Did you ever hear or was it your impression of the purpose of anti-partisan warfare of the commander in chief of the army or an army group state the same convications or the samw opinions, or that they had this knowledge?

A No.

Q Was the chief of the general staff of this opinion?

A No, but I suppose he knew the impressions or the ideas of Hitler.

Q What do you understand by the term when you state in your affidavit "Always already?"

A After the end of December, 1941 I attended every day the daily situation conferences with Hitler in the afternoons. I did not attend those meetings before the end of December, 1941 and the anti-partisan operations developed in the east in 1942. Hitler, during the various situation discussions, made several statements concerning the people's fight, as he called it himself.

Q I ask you, witness, to make your answers short. I asked you what you mean by "already always." I would like to ask you did you have this personal opinion always already or did you receive it after you saw a number

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of signs and acts here?

A It was formed in the course of the years.

Q If you state it had always been my personal opinion that the treatment of the civilian population and the methods of anti-partisan warfare presented the highest military and political leaders with the welcome opportunity to carry out their plans, namely the systematic extermination of Slavs and Jews, then there had to be a specific time when you formed this personal opinion of yours.

A It was formed by me from this time on, that is the summer and fall of 1942.

Q You state, if I understand your answer correct, that you started forming this opinion at that time. When did you get this personal opinion that you put in paragraph 4?

A I actually cannot give a specific date.

Q Witness, as you stated here "Always been my personal opinion" that there had been such a goal, then you must give a specific time. Is it possible that you have had this final personal opinion only after you saw the entire connections, after the breakdown of Germany?

DR. KEMPNER: I object to this question. The witness has answered the question, he said since 1942 and not that he formed his opinion after the entire connection and the breakdown of Germany.

DR. LATERNSER: That is not correct. The witness stated that he started forming his opinion in the summer and fall of 1942, but that he did not have it at that time. I want to ask the witness to find out from what

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time on he was of this opinion. This point is important.

COMMISSIONER RASAMOV: The witness has answered your question. He said he does not remember the exact date when his opinion was formulated.

DR. LATERNSER: If you don't know this date exactly, would you give me the approximate period when you got this opinion, that is the period from which you had this personal opinion, that is when you realized that this anti-partisan warfare presented the highest military and political leaders with the welcome opportunity of carrying on their aim of systematically reducing Slavs and Jews?

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COMMISSIONER RASUMOV: Can you answer this question, witness?

A Yes, I will attempt to. About the Spring of 1944.

COMMISSIONER REAUMOV: Go on with your examination Dr. Laternser, please.

BY DR. LATERNSER:

Q But now you state in this affidavit that it had already been your personal

COMMISSIONER RASUMOV: Dr. Laternser, you must go to another question. The witness has already answered this question. Please proceed. We are very limited in time and we cannot spend any more on this question.

Q What did you do when you arrived at this opinion? Did you discuss it with your comrades and state "here is the opportunity or here is the goal to exterminate Jewism and Slavism?

DR. KEMPNER: We object because Mr. Heusinger is a witness and not a defendant and there is nothing said in the affidavit as to what he did, whether he did and why he should do.

DR. LATERNSER: I asked the witness whether, after he had arrived at this opinion, he discussed this opinion with comrades and if he had done anything after he had arrived at this opinion.

COMMISSIONER RASUMOV: Well I don't see that this question is relevant to the affidavit of the witness. We have already asked the witness about these personal opinions but it is not so important to know whether he discussed his personal opinion with comrades or not.

DR. LATERNSER: I want to find out whether he is not mistaken about the time because if he had this personal opinion at that time already it is most probable that we would have discussed it with comrades.

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COMMISSIONER RASUMOV: Witness, did you make a mistake in the time?

WITNESS: I answered to the best of my knowledge and I stated that it was very hard to give an exact time.

DR. LATERNSER: I request that the question I asked be permitted.

COMMISSIONER RASUMOV: Will you repeat the question?

DR. LATERNSER: The question was: At the time you formed this opinion in the Spring of 1944, did you discuss your personal opinion of the purposes of the Anti-Partisan warfare with any of your comrades.

COMMISSIONER RASUMOV: You may answer this question, witness, but very shortly.

WITNESS: In the Spring of 1944 the situation on the Eastern Front was so tense that it was necessary for me to give my entire time to the military operations and military duties and we did not have much time or chance to discuss the occurrences behind the front lines at that time.

DR. LATERNSER: That is not the question. I asked whether you talked to comrades about this personal opinion of yours.

COMMISSIONER RASUMOV: Witness, answer Yes or No to the question.

WITNESS: Under oath I can only say possibly.

BY DR. LATERNSER:

Q With whom could you "possibly have talked?

A With the Quartermaster General.

Q Also with General von Botlar whom you knew quite well?

A With him without a doubt surely not.

Q If you had this opinion how could you remain in an important position in the OKH?

DR. KEMPNER: We object for the same reason. This man is a witness here and not a defendant. I do not think he has to answer such a question. Why he re-

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mained or why he did not remain has nothing to do with the affidavit.

DR. LATERNSER: But it has to do with the credibility.

A I handed in my resignation three times and it was turned down every time.

Q Is that why you turned in your resignation?

A I handed in my resignation because the entire military leadership in the East and everything that was connected with it led towards destruction - leadership through Hitler, remember.

COMMISSIONER RASUMOV: Have you any further questions, Dr. Laternser?

DR. LATERNSER: No further questions.

COMMISSIONER RASUMOV: Have the prosecution any questions?

DR. KEMPNER: I have a few.

RE-EXAMINATION

BY DR. KEMPNER:

Q You made this affidavit which was placed before you here?

A Yes.

Q That was in December 1945?

A Yes.

Q Do you consider what you stated at that time, under oath, to be 100% correct?

A I made supplemental explanations to this affidavit today upon the questions of the defense lawyer.

Q And as far as you did not give any explanation it is 100% correct?

A I did not see the affidavit any more since December of 1945. It is very hard to answer this question.

Q Do you want to read it through once more, quickly?

A Yes, if I may.

(Witness is handed a copy of the Affidavit)

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A Concerning the third paragraph, I have already explained to the defense what I meant by that. The same is true of the fourth paragraph. Where I speak in paragraph 1 of SS units, I was speaking of the SS units that I knew, that is the Waffen-SS. After the breakdown, during the interrogation, I was asked repeatedly what I knew about the SD and I answered that question negatively because I did not have any information about it. As far as I state in paragraph 2 that methods of carrying out counter-partisan operations were carried out on orders from Hitler after consultation with Himmler, I do not know, after the office of the Chief of the Counter Partisan Operations was created, to what extent Himmler gave directives to von dem Bach.

Q There is no necessity to repeat what you have already stated.

A Under paragraph 4 I want to say again that under highest political and military leadership I meant Hitler personally.

Q And his military advisers?

A I only meant Hitler because I only heard these things from him.

Q Would you include today his direct military advisers or his close military advisers?

A From what I have heard since the breakdown here in Nurnberg during the trial I would say that whether I wanted to or not I would have to include Keitel in this group.

Q From when to when were you present during these "situation discussions?"

A Usually only about the first half or three-quarters of an hour of the discussion, during which we discussed the front line business.

Q What period was that?

A From the end of December 1941 to the 20th of July 1944, with short breaks in between.

Q And who was present with you at these meetings?

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A There was from OKW, Field Marshal Keitel, Colonel General Jodl, not always General Warlimont and then a number of young officers and adjutants that changed continually.

Q And who else?

A From the OKH, Chief of the General Staff of the Army, I, and during the first year, that is 1941, the Quartermaster General of the Army and other officers if needed.

Q And during those conferences the Fuehrer spoke several times concerning the severe warfare against other people (Volkstumskampf?)

A He stated that the battle in the East was a battle between two races, two people, and that the result could only be the victory of one side or the other, the complete victory and he, Hitler stated, would see to it that the loser would not be Germany.

Q And the destruction of the other race, the other people, meant the complete victory, is that right?

A I don't want to use the term disappearance of the people because it is hardly possible to let a people disappear.

Q How about the Jews?

A I cannot state under oath here that Hitler used the word "Jewry" in this connection at that time.

Q Who was meant under the term "people" or race?" The Slavs, the Russians and not the Jews, or the whole group?

A Anything was meant which resisted subordination under Germany.

Q How often did he say that during these situation discussions - five times, ten times, - twenty times, - approximately?

A I would say about five times.

DR. KEMPNER: Thank you, that is all.

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COMMISSIONER RASUMOV: Witness, in your affidavit, in paragraph 4, where you said "systematische reduzierung", does that mean systematic extermination?

WITNESS: I meant by that removal of those that attempted to resis subordination under Germany.

COMMISSIONER RASUMOV: Have you any further questions, Dr. Laternser?

DR. LATERNSER: No further questions.

COMMISSIONER RASUMOV: The witness may be excused.

(The Commission adjourned at 1130 hours.)

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OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL SURSUANT TO PARAGRAPH 4 OF THE ORDER OF THE TRIBUNAL DATED 13TH MARCH 1946.

27 July 1946.

(THE COMMISSION CONVENED AT 1000 HOURS.)

COMMISSIONER :

N. Rasumov.

THE O.K.W.

MAJOR GENERAL ADOLF HEUSINGER, a witness, took the stand and testified as follows :

COMMISSIONER RASUMOV : Raise your right hand and repeat the oath after me :

I swear by God, the Almighty and Omniscient, that I will speak the pure truth and will withhold and add nothing.

(The witness repeated the oath.)

COMMISSIONER RASUMOV : You may be seated.

Dr. Laternser, will you bring your affidavit and give us a brief statement of what you want the witness to bring out?

DR. LATERNSER : I want to question the witness concerning Affidavit No. 20, USA 564. I want to ask him some questions which will clear up some misunderstandings by the defense.

COMMISSIONER RASUMOV : You may begin the examination.

DR. LATERNSER : Witness, you wrote affidavit 20, USA Exhibit 564.

THE WITNESS : Yes.

COMMISSIONER RASUMOV : What is your rank?

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THE WITNESS : I was a major general.

BY DR. LATERNSER :

Q You were, according to your statement, in the operations section of the OKH - the high command of the army - at the beginning of the war and from 1940 to 1944 you were its chief?

A I was chief until July 20, 1944.

Q You have received special, good, inside information on military matters?

A I believe that I can state that.

Q In paragraph 3 of your affidavit, you state, and I quote : "Therefore in all questions in the operations section in the east, the chief of the general staff was responsible and for all questions outside of the operations area, the OKW - the high command of the armed forces, for instance, for all troops which were in the Reich Commissar area".

A At that time I was asked concerning the dividing line between the authority of the OKH and the OKW in the east. With this statement, I wanted to show where the border line of authority of the OKW and OKH was in the east. I did not have to concern myself by giving this answer concerning the authority of the SS units, but it was rather just to clear the division that I wanted to show between the OKH on one hand and the OKW on the other.

DR. LATERNSER : For instance, you state in your affidavit that the chief of the general staff of the army was responsible for all the operations in this area. It is not correct that for the economic distribution, the Economic staff east and Goering were they not responsible?

THE WITNESS : That is certain. I want to state that I, as chief of the operations section, had to do with the actual operational leadership.

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BY DR. LATERNSER :

Q On other words, you do not mean all questions, but all military questions?

A Yes, I mean military questions. There you had the question of how far is the OKH responsible, the chief of the general staff of the army and how far is the OKW responsible.

Q I wanted to clear that one point, since your statement that the chief of the general staff of the army was responsible for the entire area could be given a much more general meaning.

Now, I have the following questions : You said that the chief of the general staff of the army was responsible, but he had no authority to give orders.

A He was the first advisor to the Commander in Chief of the army and after General Brauchitsch left he was the first advisor to Hitler.

Q In other words, if I understand you correctly, you want to say by the word responsible the commander in chief of the general staff was responsible for the working out of the plan. Who was the man who would give the orders on this plan?

A Of course only the commander in chief of the army. First, von Brauchitsch and then Hitler. Of course, von Brauchitsch was bound to the orders he received from Hitler.

Q In the fourth paragraph you state and I quote : "All police and SS units in the Reich Commissar east were also subordinate to the Reichsfuehrer SS." To what extent did these units, for example the higher SS and police leaders in the Reichskommissar West, dit they not stand under the directions of the Reichsfuehrer, but rather the OKW?

A For instances in the territorial placements there was the question of subordination and I want to state quite

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expressedly here it was a very difficult one, but after this long period it is very hard for me to remember all phases and points of this matter of subordinate. I want to state now in a broad sense for example the named officers or offices as part of their duty were responsible to the Reichsfuehrer SS, however, for the territorial questions, such as questions of lodging and other questions connected with that, they were responsible to any orders of the OKW.

Q To what extent did these units - now we are speaking of security units, SS units and police units, come under the authority of the Reichs Commissar?

A In territorial questions.

Q In other words, as you state here. "All police and SS units in the Reichs Commissar were also subordinate to the Reichs Fuehrer SS", and that is now quite complete because you also state that these units were, insofar as territorial matters were concerned, under the jurisdiction of the Reichs Commissar?

A I wanted to bring out the point that the subordination was not just a single subordination, but double and more than that depending on the areas. If I remember correctly, after the office of the chief of antipartisan war-fare had been created, the technical direction staff units were handed over to the chief of the anti-partisan war-fare.

Q When you state that the technical direction went over to the chief of anti- partisan war-fare, do you mean that General von dem Bach was just more or less an information center, or was he the actual chief of these anti-partisan actions?

A In my opinion, he was much more than just an information connection point. He had the duty to issue unified

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directives for the anti-partisan war-fare. During large scale anti-partisan operations, he was in charge personally of these operations. I am now thinking for instance of the operations southwest of Welliki Luki where I know positively that con dem Bach personally was in command.

Q You stated also that the directives as to the manner and methods of carrying out partisan operations were issued by th OKW and that the OKH merely was responsible for the transmission of these orders. Do you remember a directive, which was given out in 1942 which regulated the authority concerning the anti-partisan operations?

A I do know of a draft of an anti-partisan directive, that was in 1943 or 1944 which was supposed to have been issued and if I remember correctly, it was worked out at the OKW by a general staff officer, but it was supposed to beissued by the chief of the anti-partisan operations. I cannot remember any previous anti-partisan directives. The reason for that was that I, as chief of operations section of the OKH, did not have anything to do with the anti-partisan operations which werein the hands of the quarter-master general of the army.

Q Therefore, you do not know if any such anti-partisan directives were issued?

A I cannot answer this question.

Q Yesterday, the witness, Rode of the command staff of the RSHA., stated that he had discussions with officers of the OKW and OKH concerning the anti-partisan actions and the destruction through these actions of Jews and other elements. Did the OKH give any directives for the extermination of Jews?

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DR. KEMPNER : We object against th is type of questioning. There is no reference to the Rode in this affidavit. We don't know what this witness has already stated and General Heusinger does not know it either, so General Heusinger can only be asked about the things he knows and not about what some other witness stated he thought about it.

DR. LATERNSER : I Don't think that there could be any doubt that the question I put is admissible. The point of the question is whether or not the OKH ever gaveout any directives for the extermination of Jews and in order to prove that, the prosecution has referred to the affidavit of Rode, I don't believe there could be any question concerning the right of this question.

Mr. RIPP : We are not objecting to the admissability of the

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question itself, we are merely objecting that the name is introduced in this question and it is entirely irrelevant. We respectfully request that the name of Rode be restricted from the record.

DR. LATERNSER: I need this point in order that I can ask the witness a further question after this question.

CAPTAIN RAPP: I would like to call the attention of cousel to the fact that I assume that the witness does not know who Rode is or that Rode has given a previous affidavit.

DR. LATERNSER: That I want to find out with the next question and it is insoperable from this question.

DR. KEMPNER: For reasons I do not understand, formany days the defense counsel has introduced things which have nothing to do with the very restricted topics the court ordered in the cross examination. They are trying to slip something over our heads, what we do not know and other people do not know either. This witness is here in order to be questioned as to whether his affidavit is corrector not and not whether Rode's affidavit is correct or not.

COMMISSIONER RASANOV: Dr. Laternser, do you have something to say?

DR. LATERNSER: No.

COMMISSIONER RASANOV: I quite agree with the prosecution because the testimony of this witness should be of a restricted nature and your question has absolutely nothing to do with the witness we are examining now. Your question refers to some other witness and the questions, which you are allowed to put to the witness, should be absolutely restricted to the affidavit concerning this witness. Will you please go to the next question, Dr. Laternser?

BY DR. LATERNSER:

Q I will now ask thesame question without the previous remarks. Did the OKH give any orders for the destruction of Jews?

A In my opinion there were no orders given by the OKH for the destruction of Jews.

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Q During the discussion of the anti-partisan actions, was this question discussed?

A I pointed out already that I was concerned with anti-partisan actions only from the summer or fall of 1943. I personally did not participate in discussions where this plan was discussed.

Q Did the OKH give out an order stating that no prisoners were to be taken in these anti-partisan operations?

DR. KEMPNER: I don't see anything in this affidavit which says the witness said so before.

DR. LATERNSER: Commissioner, would you please look at paragraph four of the affidavit? It states that it was the witnesses' personal opinion that the treatment of the civilian population and the fighting of partisans in operation zones gave a welcome opportunity for the political and military leadership to accomplish their aim of systematically reducing Slavs and Jews. In this connection, the question is absolutely important. I repeat the question, which I gave before. Did the OKH issue any directives, according to which no prisoners were to be taken during anti-partisan operations?

CAPTAIN RAPP: The defense has asked the witness a question whether or not the OKH has given orders (a) for the destruction of Jews and (b) whether or not partisan prisoners should be taken. There is no statement in the affidavit stating that the OKH gave orders to that effect.

DR. LATERNSER: If these goals were present, then they only could have been carried out by giving these orders.

MR. RASANOV: It is alright, you may continue, Dr. Laternser.

BY DR. LATERNSER:

Q Witness, I ask you to answer the question.

A I do not know of any orders, which stated that no prisoners were to be taken.

Q You stated in paragraph 3 of your affidavit that all questions involving the treatment of all matters pertaining to the population and the fighting ofpartisans, in accordance with orders from the OKW, was the responsibility of the Quartermaster General of theOKH. I ask you, do you have any knowledge of any orders, which were supposed to be given by

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the Quartermaster general, which were against international law?

A I do not believe he gave such orders.

Q In paragraph 4 of the affidavit, you make the following statement and I quote:

"It has always been my personal opinion that the treatment of the civilian population and the methods used in anti-partisan warfare in the operational areas, presented the highest military and political leaders with a welcome opportunity for accomplishing their aim of systematically reducing Slavs and Jews." Whom do you mean by the highest political leaders.

A Hitler personally. May I explain that in more detail?

Q Witness, later I want to ask you a few questions in this connection. Did you ever hear or was it your impression of the purpose of anti-partisan warfare of the commander in chief of the army or an army group state the same convictions or the same opinions, or that they had this knowledge?

A No.

Q Was the chief of the general staff of this opinion?

A No, but I suppose he knew the impressions or the ideas of Hitler.

Q What do you understand by the term when you state in your affidavit "Always already?"

A After the end of December, 1941, I attended every day the daily situation conferences with Hitler in the afternoons. I did not attend those meetings before the end of December, 1941 and the anti-prtisan operations developed in the east in 1942. Hitler, during the various situation discussions, made several statements concerning the people's fight, as he called it himself.

Q I ask you, witness, to make your answers short. I asked you what you mean by "already always". I would like to ask you did you have this personal opinion always already or did you receive it after you saw a number of signs and acts here?

A It was formed in the course of the years.

Q If you state it had always been my personal opinion that the treatment of the civilian population ahd the methods of anti-partisan warfare presented the highest military and political leaders with the welcome opportunity to carry out their plans, namely the systematic extermination of Slavs and Jews, then there had to be a specific time when you formed this personal opinion of yours.

A It was formed by me from this time on, that is the summer and fall of 1942.

Q You state, if I understand your answer correct, that you started forming this opinion at that time. When did you get this personal opinion that you put in paragraph 4?

A I actually cannot give a specific date.

Q Witness, as you stated here "always been my personal opinion" that there had been such a goal, then you must give a specific time. Is it possible that you have had this final personal opinion only after you saw the entire connections, after the breakdown of Germany?

DR. KEMPNER: I object to this question. The witness has answered the question, he said since 1942 and not that he formed his opinion after the entire connection and the breakdown of Germany.

DR. LATERNSER: That is not correct. The witness stated that he started forming his opinion in the summer and fall of 1942, but that he did not have it at that time. I want to ask the witness to find out from what time on he was of this opinion. This point is important.

COMMISSIONER RASSMOV: The witness has answered your question. He said he does not remember the exact date when his opinion was formulated.

DR. LATERNSER: If you don't know this date exactly, would you give me the approximate period when you got this opinion, that is the period from which you had this personal opinion, that is when you realized that this anti-partisan warfare presented the highest military and political leaders with the welcome opportunity of carrying on their aim of systematically reducing Slavs and Jews?

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COMMISSIONER RASUMOV: Can you answer this question, witness?

A. Yes, I will attempt to. About the Spring of 1944.

COMMISSIONER RASUMOV: Go on with your examination Dr. Laternser, please.

BY DR. LATERNSER:

Q. But now you state in this affidavit that it had already been your personal ....

COMMISSIONER RASUMOV: Dr. Laternser, you must go to another question. The witness has already answered this question. Please proceed. We are very limited in time and we cannot spend any more on this question.

Q. What did you do when you arrived at this opinion? Did you discuss it with your comrades and state "here is the opportunity or here is the goal to exterminate Jewism and Slavism?

DR. KEMPNER: We object because Mr. Heusinger is a witness and not a defendant and there is nothing said in the affidavit as to what he did, whether he did and why he should do.

DR. LATERNSER: I asked the witness whether, after he had arrived at this opinion, he discussed this opinion with comrades and if he had done anything after he had arrived at this opinion.

COMMISSIONER RASUMOV: Well I don't see that this question is relevant to the affidavit of the witness. We have already asked the witness about these personal opinions but it is not so important to know whether he discussed his personal opinion with comrades and if he had done anything after he had arrived at this opinion.

COMMISSIONER RASUMOV: Well I don't see that this question is relevant to the affidavit of the witness. We have already asked the witness about these personal opinions but it is not so important to know whether he discussed his personal opinion with comrades and if he had done anything after he had arrived at this opinion.

DR. LATERNSER: I want to find out whether he is not mistaken about the time because if he had this personal opinion at that time already it is most probable that we would have discussed it with comrades.

COMMISSIONER RASUMOV: Witness, did you make a mistake in the time?

WITNESS: I answered to the best of my knowledge and I state that he was very hard to give an exact time.

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DR. LATERNSER: I request that the question I asked be permitted.

COMMISSIONER RASUMOV: Will you repeat the question?

DR. LATERNSER: The question was: At the time you formed this opinion in the Spring of 1944, did you discuss your personal opinion of the purposes of the Anti-Partisan warfare with any of your comrades.

COMMISSIONER RASUMOV: You may answer this question, witness, but very shortly.

WITNESS: In the Spring of 1944 the situation on the Eastern Front was so tense that it was necessary for me to give my entire time to the military operations and military duties and we did not have much time or chance to discuss the occurrences behind the front lines at that time.

DR. LATERNSER: That is not the question. I asked whether you talked to comrades about this personal opinion of yours.

COMMISSIONER RASUMOV: Witness, answer Yes or No to the question.

WITNESS: Under oath I can only say possibly.

BY DR. LATERNSER:

Q. With whom could you "possibly" have talked?

A. With the Quartermaster General.

Q. Also with General von Botlar whom you knew quite well?

A. With him without a doubt surely not.

Q. If you had this opinion how could you remain in an important position in the OKH?

DR. KEMPNER: No object for the same reason. This man is a witness here and not a defendant. I do not think he has to answer such a question. Why he remained or why he did not remain has nothing to do with the affidavit.

DR. LATERNSER: But it has to do with the credibility.

A. I handed in my resignation three times and it was turned down every time.

Q. Is that why you turned in your resignation?

A. I handed in my resignation because the entire military leadership in the East and everything that was connected with it led towards destruction -- leadership through Hitler, remember.

H1057 - 0050

COMMISSIONER RASUMOV: Have you any further questions, Dr. Laternser?

DR. LATERNSER: No further questions.

COMMISSIONER RASUMOV: Have the prosecution any questions?

DR. KEMPNER: I have a few.

RE-EXAMINATION

BY DR. KEMPNER:

Q. You made this affidavit which was placed before you here?

A. Yes.

Q. That was in December 1945?

A. Yes.

Q. Do you consider what you stated at that time, under oath, to be 100% correct?

A. I made supplemental explanations to this affidavit today upon the questions of the defense lawyer.

Q. And as far as you did not give any explanation it is 100 percent correct?

A. I did not see the affidavit any more since December of 1945. It is very hard to answer this question.

Q. Do you want to read it through once more, quickly?

A. Yes, if I may.

(Witness is handed a copy of the Affidavit)

A. Concerning the third paragraph, I have already explained to the defense what I meant by that. The same is true of the fourth paragraph. Where I speak in paragraph 1 of SS units, I was speaking of the SS units that I know, that is the Waffen-SS. After the breakdown, during the interrogation, I was asked repeatedly what I know about the SD and I answered that question negatively because I did not have any information about it. As far as I state in paragraph 2 that methods of carrying out counter-partisan operations were carried out on orders from Hitler after consultation with Himmler, I do not know, after the office of the Chief of the Counter Partisan Operations was created, to what extent Himmler gave directives to von dem Bach.

H1057-0051

Q. There is no necessity to repeat what you have already stated.

A. Under paragraph 4 I want to say again that under highest political and military leadership I meant Hitler personally.

Q. And his military advisers?

A. I only meant Hitler because I only heard these things from him.

Q. Would you include today his direct military advisers or his close military advisers?

A. From what I have heard since the breakdown here in Nurnberg during the trial I would say that whether I wanted to or not I would have to include Keitel in this group.

Q. From when to when were you present during these "situation discussions

A. Usually only about the first half or three-wuarters of an hour of the discussion, during which we discussed the front line business.

Q. What period was that?

A. From the end of December 1941 to the 20th of July 1944, with short breaks in between.

Q. And who was present with you at these meetings?

A. There was from OKW, Field Marshal Keitel, Colonel General Jodl, not always General Warlimont and then a number of young officers and adjutants that changed continually.

Q. And who else?

A. From the OKH, Chief of the General Staff of the Army, I, and during the first year, that is in 1941, the Quartermaster General of the Army and other officers if needed.

Q. And during those conferences the Fuehrer spoke several times concerning the severe warfare against other people (Volkstumskampf?)

A. He stated that the battle in the East was a battle between two races, two people, and that the result could only be the victory of one side or the other, the complete victory and he, Hitler stated, would see to it that the loser would not be Germany.

Q. And the destruction of the other race, the other people, meant the complete victory, is that right?

H1057-0052

A. I don't want to use the term disappearance of the people because it is hardly possible to let a people disappear.

Q. How about the Jews?

A. I cannot state under oath here that Hitler used the word "Jewry" in this connection at that time.

Q. Who was meant under the term "people" or "race?" The Slavs, the Russians and not the Jews, or the whole group?

A. Anything was meant which resisted subordination under Germany.

Q. How often did he say that during these situation discussions -- five times, ten times, -- twenty times, -- approximately?

A. I would say about five times.

DR. KEMPNER: Thank you, that is all.

COMMISSIONER RASUMOV: Witness, in your affidavit, in paragraph 4, where you said "systematische reduzierung", does that mean systematic extermination?

WITNESS: I meant by that removal of those that attempted to resist subordination under Germany.

COMMISSIONER RASUMOV: Have you any further questions, Dr. Laternser?

DR. LATERNSER: No further questions.

COMMISSIONER RASUMOV: The witness may be excused.

(The Commission adjourned at 1130 hours)

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The foregoing is a true and correct transcript of the testimony of GENERAL ADOLF HEUSINGER, taken on 27 July 1946.

Alice Meehan
Reporter

Mabel A. Lesser
Reporter

CERTIFIED TO:

I. Rasumov
Commissioner